IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 7913 of 2007

PETITIONER: 1ST RESPONDENT

C.P.BAPPUTTY, 40 YEARS,
S/O.KUNAHLIKUTTY, AREEPARAMBIL,
P.O. B.P. ANGADI, TIRUR-2.

BY ADV. SRI.K.RAMACHANDRAN

RESPONDENTS: PETITIONER & RESPONDENTS 2, AND 3
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1. CHEMBRAVEETTIL VELAYUDHANUNNI,
62 YEARS, S/O.APPUKUTTAN, TIRUR TALUK,
THALAKKAD AMSOM DESOM, P.O. B.P.ANGADI,
TIRUR-2.

2. PONNAMKUZHIYIL ABDUL AZEEZ, 34 YEARS,
S/O.ABDULLAKUTTY, P.O. B.P. ANGADI,
TIRUR-2.

3. PALAKKAL ABDUL GAFOOR, 39 YEARS,
S/O.ABDUL KADER, P.O. B.P. ANGADI,
TIRUR-2.

BY ADV. SRI.T.KRISHNAN UNNI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 7913/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE IA NO. 103/2007 IN E.O.P NO. 47/2005 DT. 12/1/2007.

EXT.P2. COPY OF THE ORDER OF THE COURT BELOW DT. 3/2/2007 IN IA NO. 103/2007.

True copy

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M.N.KRISHNAN, J.

WP(C)No.7913 OF 2007 P

Dated this the 25th May, 2007.

JUDGMENT

This writ petition is filed to set aside the order in I.A.103/2007 in O.P(Election) 47/2005. It is an application filed by the first respondent in the Election O.P to call for the ledger extract from the Tirur Urban Co-Operative Bank, B.P.Angadi Branch with respect to account No:2901 jointly held by C.P.Bapputty and K.P.Muhammed Saleem. The trial court found that there is nothing to show that they are relevant for the purpose of adjudicating the case and therefore disallowed the same.

2. Heard counsel for both sides.

3. The purpose of summoning the document is to the effect that how much amount had been received and withdrawn from the Panchayat in connection with the construction of Indore Stadium of Thalakkad Grama Panchayat. It is also averred that they approached the bank for getting a ledger extract but the bank submitted that unless there is an order of the court it will not be issued. Taking into consideration the relevant facts and materials is is only just and necessary to call for the document sought for by the writ petitioner. Therefore, the writ petition is allowed and the order under challenge is set aside and

I.A.103/2007 in O.P(Election) 47/2005 is allowed. The learned Munsiff, Tirur is also directed to dispose of the matter as expeditiously as possible not later than a period of three months from the date of receipt of a copy of this judgment.

M.N.KRISHNAN
Judge

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